

# UNITED STATES DISTRICT COURT

for the  
District of Alaska

LOCALS 302 AND 612 OF THE  
INTERNATIONAL UNION OF OPERATING  
ENGINEERS CONSTRUCTION INDUSTRY  
HEALTH AND SECURITY FUND; LOCALS  
302 AND 612 OF THE INTERNATIONAL  
UNION OF OPERATING ENGINEERS-  
EMPLOYERS CONSTRUCTION INDUSTRY  
RETIREMENT FUND; and ALASKA  
OPERATING ENGINEERS-EMPLOYERS  
TRAINING TRUST FUND,

*Plaintiffs*

v.

ALASKA INDUSTRIAL, LLC, an Alaska  
limited liability company; and JEFFREY DAY,  
an individual,

*Defendants*

Civil Action No. 4:21-cv-00017-JMK

## DEFAULT JUDGMENT IN A CIVIL ACTION

☐ **JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

☒ **DECISION BY COURT.** This action came to trial or decision before the Court. The issues have been tried or determined and a decision has been rendered.

IT IS ORDERED AND ADJUDGED:

THAT Plaintiffs Locals 302 and 612 of the International Union of Operating Engineers Construction Industry Health and Security Fund, Locals 302 and 612 of the International Union of Operating Engineers-Employers Construction Industry Retirement Fund, and Alaska Operating Engineers-Employers Training Trust Fund, recover of defendant Alaska Industrial, LLC, the sum of \$166,005.89, together with prejudgment interest in the amount of \$21,138.64, attorney's fees in the amount of \$5,730.00 and plaintiff's cost of action in the amount of \$552.00 for a total judgment of \$193,426.53 with post-judgment interest thereon at the rate of 12.0% as provided by law.

IT IS FURTHER ORDERED AND ADJUDGED:

THAT Plaintiffs Locals 302 and 612 of the International Union of Operating Engineers Construction Industry Health and Security Fund, Locals 302 and 612 of the International Union of Operating Engineers-Employers Construction Industry Retirement Fund, and Alaska Operating Engineers-Employers Training Trust Fund, recover of defendant Jeffrey Day, the sum of \$310,845.18, together with prejudgment interest in the amount of \$121,404.02, attorney's fees in the amount of \$5,461.50 and plaintiff's cost of action in the amount of \$5,821.13 for a total judgment of \$443,531.83 with post-judgment interest thereon at the rate of 12.0% as provided by law.

APPROVED:

**s/Joshua M. Kindred**

Joshua M. Kindred  
United States District Judge

Date: May 18, 2022

*Note: Award of prejudgment interest, costs and attorney's fees are governed by D.Ak. LR 54.1, 54.2, and 58.1.*

**Brian D. Karth**

Brian D. Karth  
Clerk of Court